

**BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
SECURITIES AND EXCHANGE BOARD OF INDIA**

Appeal No. 6290 of 2025

Mukesh Kumar	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 09, 2024 under the Right to Information Act, 2005 (“**RTI Act**”). The application was forwarded by the Department of Economic Affairs to SEBI (received by SEBI on October 25, 2024) for query nos. 8 to 22 in the application. The respondent, by a letter dated November 19, 2024 responded to the aforementioned queries in the application filed by the appellant. The appellant filed an appeal dated December 04, 2025, (received by the Office of Appellate Authority on January 10, 2025). I have perused the application, the response of the respondent and the appeal and find that the matter can be decided based on the material available on record.
2. **Query nos. 8 to 22 in the application-** The appellant, vide query nos. 8 to 22 in his application dated September 09, 2024, sought the following information:
 8. *Whether the office of CDSL, Mumbai comes under the jurisdiction of Minister of Finance or some other Government office?*
 9. *Whether the offices of Depositories established by SEBI in Delhi, Mumbai, Chandigarh come under the jurisdiction of Minister of Finance or some other Government office?*
 10. *Whether the offices of listed companies (that sell their shares to mobilize funds from public) of India come under the jurisdiction of Minister of Finance or some other Government office?*
 11. *Whether the appellant can seek information under the RTI Act, 2005 from the CPIO / directors / proprietor of the listed companies?*

12. *Whether the appellant can seek information under the RTI Act, 2005 from the office of Minister of Finance with regard to offices of Depositories of CDSL in Delhi, Mumbai, Chandigarh and addresses of listed companies?*
13. *Whether the appellant can appeal before the First Appellate Authority of the office of Minister of Finance if he does not receive information under the RTI Act, 2005 from the CPIOs of Depositories of CDSL in Delhi, Mumbai, Chandigarh and listed companies?*
14. *If the appellant does not receive reply of his queries from the CPIO, SEBI, whether he can appeal to the First Appellate Authority, Central Information Commission, Delhi?*
15. *If the appellant does not receive reply of his queries from the CPIO, CDSL, whether he can appeal to the First Appellate Authority, Central Information Commission, Delhi?*
16. *If the appellant does not receive reply of his queries from the CPIOs of offices of Depositories of CDSL in Delhi, Mumbai, Chandigarh, whether he can appeal to the First Appellate Authority, Central Information Commission, Delhi?*
17. *If the appellant does not receive reply of his queries from the CPIOs of listed companies of India, whether he can appeal to the First Appellate Authority, Central Information Commission, Delhi?*
18. *If appellant's appeal filed against the CPIO, SEBI; CPIO, CDSL, Mumbai; CPIOs of the offices of Depositories in Delhi, Mumbai, Chandigarh and CPIOs of listed companies of India are rejected by the First Appellate Authority, Central Information Commission, Delhi, whether he can register a complaint with Smt. Nirmala Sitharaman, Minister of Finance, Government of India?*
19. *The Appellant has stated that he has preferred an appeal before the First Appellate Authority, Central Information Commission, Delhi. He has further stated that the First Appellate Authority, Central Information Commission, Delhi every time considers his appeal as second appeal and he always dismissed his appeals. The appellant wants to know where he can file second appeal in this regard. The appellant has further sought the details of the Second Appellate Authority.*
20. *The Appellant has stated that he has sent several RTI letters to the CPIO SEBI during the past five months but he has received no information till date. He has sought information regarding demat accounts of his family members but the same has not been provided. The appellant has further stated that SEBI has advised him to seek this information from the depositories but they refused to provide the same without the permission of SEBI. The appellant wants to know whether he can register case against all of them before the Supreme Court or High Court.*

21. *Whether Minister of Finance or any other government department have the power to suspend lazy, shirking, dishonest and fraudulent officials of SEBI? The appellant has sought the details of the person who has the power to do so.*

22. *Whether Minister of Finance or any other government department have the power to investigate against the depositories in Delhi, Mumbai, Chandigarh who have fraudulently opened demat accounts of lakhs of investors across the country? The appellant has sought the details of the person who has the power to do so*

3. **Reply of the Respondent** - The respondent, in response to query nos. 8 to 22 in the application, informed that the said queries are in the nature of seeking clarification/opinion. Accordingly, the same cannot be construed as "information", as defined u/s 2(f) of the RTI Act. Further, with respect to query no. 10 in the application, the respondent additionally informed that the listed companies have to comply with various Regulations as prescribed under the Securities and Exchange Board of India Act, 1992, The Depositories Act, 1996 and Securities Contracts (Regulation) Act, 1956 etc.
4. **Ground of appeal**- On perusal of the appeal, it appears that the appellant is not satisfied with the response provided by the respondent.
5. I have perused the aforementioned queries and the response provided thereto. On consideration, I concur with the response of the respondent that query nos. 8 to 22 in the application are in the nature of seeking clarification from the respondent. I find that the aforementioned queries cannot be construed as seeking 'information' as defined under section 2(f) of the RTI Act. Consequently, the respondent do not have an obligation to provide such clarification under the RTI Act. In this context, reliance is placed on the matter of *Azad Singh vs. CPIO, Oriental Insurance Company Limited* (order dated March 23, 2021), wherein, Hon'ble Central Information Commission (hereinafter referred to as "CIC") observed that "7. *The Commission, after hearing the submissions of both the parties and after perusal of records, observed that some queries of the appellant are in the nature of seeking explanation/ opinion/ advice/ confirmation/ clarification from the CPIO and he has expected that the CPIO firstly should analyze the documents and then provide information to the appellant. But the CPIO is not supposed to create information; or to interpret information; or to compile information as per the desire of the appellant under the ambit of the RTI Act. As per Section 2(f) of the RTI Act, the reasons/ opinions/ advices can only be provided to the appellants if it is available on record of the public authority. The CPIO cannot create information in the manner as sought by the appellant. The CPIO is only a communicator of information based on the records held in the office and hence, he cannot be expected to do research work to deduce anything from the material therein and then supply it to him*". Accordingly, I do not find any deficiency in the response.

6. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The appeal is accordingly dismissed.

Place: Mumbai

Date: February 06, 2025

RUCHI CHOJER

**APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA**